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*Attorneys for Plaintiff
Strike 3 Holdings, LLC*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STRIKE 3 HOLDINGS, LLC,

Case Number: 3:17-cv-07051-LB

Plaintiff,

Honorable Laurel Beeler

VS.

**PLAINTIFF'S EX-PARTE APPLICATION
FOR EXTENSION OF TIME WITHIN
WHICH TO EFFECTUATE SERVICE
ON JOHN DOE DEFENDANT**

JOHN DOE subscriber assigned IP address
108.224.80.148,

Defendant.

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Strike 3 Holdings, LLC (“Plaintiff”), makes this *ex-parte* application for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their Internet service provider ("ISP").

2. On January 10, 2018, Plaintiff was granted leave to serve a third party subpoena on Defendant's ISP to obtain the Defendant's identifying information [CM/ECF 8]. Plaintiff

issued the subpoena on or about January 24, 2018 and expects to receive the ISP's response on or about April 4, 2018.

3. Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than March 11, 2018. Because the ISP is not expected to respond until April 4, 2018 and Defendant's identity currently remains unknown to Plaintiff, Plaintiff is unable to comply with the current service deadline.

4. Procedurally, Plaintiff respectfully requests that the time within which it has to effect service of the summons and Complaint on Defendant be extended an additional sixty (60) days from April 4, 2018 (the date Plaintiff expects to receive the ISP response) and thus the deadline to effect service be extended to June 3, 2018.

5. This application is made in good faith and not for the purpose of undue delay.

6. This is Plaintiff's first request for an extension. None of the parties will be prejudiced by the granting of this extension.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended until June 3, 2018. A proposed order is attached for the Court's convenience.

Dated: March 9, 2018

Respectfully submitted,

By: /s/ Lincoln D. Bandlow
Lincoln D. Bandlow, Esq.
FOX ROTHSCHILD LLP
Attorney for Plaintiff